

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

GORDON CASEY, individually and on behalf
of all others similarly situated,

Plaintiff,

-v-

5:12-CV-820 (LEAD)

MIDFIRST BANK, N.A., doing business as
Midland Mortgage; and FIRSTINSURE, INC.,

Defendants.

APPEARANCES:

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ROBERT J. SMITH, ESQ.

DAVID N. HURD
United States District Judge

**ORDER GRANTING ATTORNEYS' FEES, EXPENSES, AND CLASS
REPRESENTATIVE SERVICE AWARD**

Plaintiff has moved for Approval of Attorneys' Fees, Expenses and a Service Award. The motion is unopposed by Defendants MidFirst Bank, N.A. ("MidFirst") and FirstInsure, Inc. ("FirstInsure") (collectively, "the MidFirst Defendants"), and none of the Settlement Class Members objected to the requested fees and expenses.

A Final Approval Hearing was held on September 26, 2014, in Utica, New York. The Motion, the Settlement Agreement, the other papers submitted in connection with the Motion, the arguments of counsel, the response of the Settlement Class to the Settlement Notice, and all files, records, and proceedings in the above-captioned action have been reviewed and considered.

The requested attorneys' fees and expenses in the amount of \$230,000 are reasonable and appropriate. Specifically, the requested attorneys' fees and expenses are warranted in light of the following factors:

- a. The results obtained for the Class;
- b. The time and labor expended by Class Counsel;
- c. The magnitude and complexity of the litigation;

- d. The risks Class Counsel assumed in light of the complexity of legal and factual issues in lender-placed insurance cases;
- e. The quality of Class Counsel and the MidFirst Defendants' counsel;
- f. The size and scope of the Settlement as compared to the request for attorneys' fees and expenses; and
- g. Public policy considerations.

Plaintiff Gordon Casey's request for a service award in the amount of \$5,000 is reasonable and appropriate.

Therefore, it is

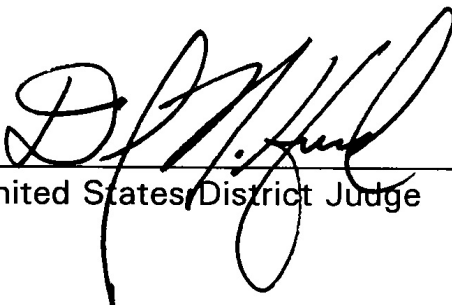
ORDERED that

1. The requested attorneys' fees and costs in the amount of \$230,000, pursuant to Paragraph 38 of the Settlement Agreement and Federal Rule of Civil Procedure 23(e), is APPROVED; and

2. The award of \$5,000 to Plaintiff Gordon Casey, pursuant to Paragraph 39 of the Settlement Agreement, is APPROVED.

IT IS SO ORDERED.

The Clerk of the Court is directed to enter judgment accordingly and close this case.



United States District Judge

Dated: October 1, 2014
Utica, New York.